



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, NOVEMBER 22, 2006

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Susan Walton, Principal Planner

Mike Enderby, Acting Principal Planner

**Joseph Horwedel, Acting Director
Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **November 22, 2006**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Gina Robles (gina.robles@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **PD06-029. Planned Development Permit** request to allow 110 single-family attached residential units in a podium building on a 10.66 gross acre site in the A(PD) Planned Development Zoning District, located on the northeast corner of Baton Rouge Drive and Cedarville Lane (781 N CAPITOL AV) (Blossom Valley Investors, Owner). Council District 4. SNI: None. CEQA: Mitigated Negative Declaration. **Deferred from 11/15/06.**
- b. **SP06-070/V06-006 (file previously referred as CP05-066). Special Use Permit** request to allow an existing slimline monopole for wireless communication uses and Variance request to allow setback reduction on a 0.12 gross acre site in the CG General Commercial Zoning District, located on the northeast corner Monroe Street and Forest Avenue (Stevens Creek Associates, Owner). Council District 6. SNI: None. CEQA: Exempt. **Deferred from 10/18/06.**
- c. **SP06-071. Special Use Permit** to allow alternating parking between a new full service restaurant and an existing office building on a 2.62 gross acre site in the CG General Commercial Zoning District, located at the southwest corner of Lopina Way and Stevens Creek Blvd (4400 STEVENS CREEK BL) (Baker Management Co., Llc Mr Edward Caropepe, Owner). Council District 1. SNI: None. CEQA: Exempt.
- d. **TR06-163. This is a Tree Removal Permit** to remove two Monterey Pine trees of 74" and 104" in the rear yard of an existing single-family residence in the R-1-5 Single-Family Residence Zoning District, located at 4068 Beebe Circle (Haley Benjamin L And Charlotte J Trustee, Owner). Council District 8. CEQA: Exempt
- e. **TR06-169. Tree Removal Permit** to remove one Pine tree approximately 96 inches in circumference on a 0.15 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the 1247 Pampas Drive (Frei Hans R And Thelma, Owner). Council District 10. CEQA: Exempt.

- f. **HP06-003. Historic Preservation Permit** to allow construction of a new foundation for the Briar Rose Inn City Landmark file no. HL05-151 on a 0.28 gross acre site, in the A(PD) Planned Development Zoning District, located at the northwest corner of Jackson Street and North 19th Street (897 JACKSON ST) (Eric Thacker, Owner). Council District 3. SNI: None. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **TR06-151. Tree Removal Permit** for removal of two Redwood trees 160 and 114 inches in circumference, and one Liquid Amber tree , 66 inches in circumference, on a 0.3 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1242 Mildred Avenue (Clark Kevin G And Wendy M, Clark Kevin G And Wendy M, Owner). Council District 6. CEQA: Exempt. **Deferred from 10/18/06.**
- b. **PD06-044. Planned Development Permit** to allow the subdivision of existing industrial buildings into up to 51 industrial condominium units on a 7.32 gross acre site in the LI (PD) Planned Development Zoning District, located on the northwest corner of O'Toole Avenue and E. Brokaw Road (689 E BROKAW RD) (Dell Associates II, Owner). Council District 4. SNI: None. CEQA: Exempt. **Deferred from 11/15/06.**
- c. **PD06-030. Planned Development Permit** to construct 23 single-family detached, two- and three-story residences on a 1.83 gross acre site in the A(PD) Planned Development Zoning District, located on the northwest corner of Lucretia Avenue and Phelan Avenue (Lucretia Development, Llc Myha Trieu, Developer). Council District 7. SNI: Tully/Senter. CEQA: Mitigated Negative Declaration. **Deferred from 11/8/06.**
- d. **PT06-064. Vesting Planned Development Tentative Map** to subdivide two parcels into 24 lots for single-family detached residential uses on a 1.83 gross acre site in the A(PD) Planned Development Zoning District, located at the northwest corner of Lucretia Avenue and Phelan Avenue (Lucretia Development, LLC, Myha Trieu, Developer). Council District 7. SNI: Tully/Senter. CEQA: Exempt.
- e. The projects being considered are located on east side of Almaden Road, approximately 800 feet northerly of Curtner Avenue (2190 Almaden Road), on a 0.75 gross acre site in the A(PD) Planned Development Zoning District (Thelma M & Dennis L Mulvihill; Owner; David Pitzen, Developer). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration.
1. **PD06-013. Planned Development Permit** to demolish existing structures and to construct 11 single-family detached homes and to remove a total of 38 trees, of which 13 are ordinance size.
 2. **PT06-058. Planned Development Tentative Map Permit** to subdivide one parcel into 12 lots for 11 single-family detached residential uses.

This concludes the Planning Director's Hearing for November 22, 2006. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/default.asp>
PUBLIC INFORMATION COUNTER
(408) 535-7800 CITY OF SAN JOSE